

**Prepared Remarks of U.S. Attorney Preet Bharara
Pace Law School Commencement
Sunday, May 17, 2015**

Dean Yassky, distinguished faculty, proud parents, family, friends, and graduates. Congratulations to the Class of 2015. You have a lot to be grateful for and a lot to be proud of, so I want to add my congratulations to everyone else's.

I am honored beyond words not only just to be asked to speak here, but to receive that honorary degree. Let me say two things about that, and it was quite a citation.

One, I want to return some words of kindness to the Dean, David Yassky, who I've known for some time. He has had himself an exemplary and impressive and remarkable career in public service spanning all kinds of jobs and now as an administrator and educator. One of those prior jobs, as I am sure many of you know, was the Commissioner of the Taxi and Limousine Commission in New York City. And so one of the reasons I am happy to get this honorary degree is I think back to all the times I got into the backseat of a New York City cab and I heard the voice, "Hi, I'm David Yassky." This award totally makes up for all of those times. Not totally, but mostly.

In all seriousness, you are very lucky to have a dean of such distinction who cares so much about public service and will for the rest of his career.

More seriously, as honored as I am to accept the honorary degree, all the accolades I get and the accomplishments for

which I was cited, those are the result of two groups of people. One, my family, many of whom are here today. And second, from the remarkable public servants who serve in my office.

I have learned a couple things in my six or so years of doing this job and that is—and you should take a page from this—if you hire people and surround yourself with people who are smarter and better than you and have better judgment, you can get a lot of awards.

Always remember that you never got to where you have gotten by yourself. It takes a team, and in my case, it's the career people, the staff, the prosecutors, the agents that we work with who have caused us to have the kind of achievement and success we have in the Southern District of New York. So thank you again.

It's a special privilege to come to Pace Law School. As many of you know but maybe some of the family members don't know, we have a longstanding special relationship with Pace. Many students here participate in our summer internship program, as well as work at my office during the fall and spring semesters.

So I want to give a special shout out to the graduates present here today who worked at SDNY. Congratulations to Joe Fortunato, Debbie Robbins, Marley Strauss, Susan Papacostas, Isaias Pedraza, Griffin Kenyon. Christina Casarella, and Eddie Chang.

Congratulations and thanks for the free labor, which I think was legal at the time it was rendered.

So here we are, all dressed up on a Sunday morning.

At this point, you have spent years successfully devoted to the study of the law and earned your degree.

If you have learned anything, you have learned about the power of the law in this country.

And not just its power, occasionally, to put you to sleep.

Or its power, sometimes, to infuriate you.

Rather, I trust that you have come to appreciate the law's majesty and power as, among other things, an embodiment of American values and as a source of American greatness.

So as we sit here this morning, reminders of the power of the law are all around us. And I don't just mean the power that I have as U.S. Attorney to subpoena and wiretap all of you.

Though I do have that power.

It might be tempting to say that the power of the law knows no bounds.

But that would be false.

Because the law doesn't really tell you everything. Because the law is not an end in itself. And because the law has inherent limits.

So, on the eve of joining this still-noble profession, as you move from the classroom to the courtroom and transition from academia to actual practice, you should bear in mind that the law is merely an instrument.

To come alive or to mean something or to help real human beings, the law requires the guiding hands of great lawyers.

Because now, more than ever, on issues of national and global consequence, the qualities of the greatest lawyers are badly in need. What might those qualities be?

I am not talking about the ability to rapidly research legal questions or cut a witness to ribbons on cross examination or put together a billion-dollar leveraged buyout overnight.

That may signify great lawyering, but it doesn't necessarily signify to my mind a great lawyer.

In my view, lawyers in the grand tradition have the following special qualities, which typically exist in uneasy tension but which the truly great lawyer can hold in easy balance:

- o Respect for our democratic institutions, but also a yearning for their improvement;
- o A penchant for passionate advocacy, but also an appreciation for moderation;
- o Skill in being an adversary without becoming an enemy;

- o The wisdom to learn and understand both sides of an issue;
- o And the ability to view all parties – whether victims or witnesses or criminal defendants – always as human beings with dignity and self-worth.

A noted lawyer from some time ago had similar advice, though perhaps more succinct, for a new judge.

That lawyer was Abraham Lincoln, and this was his advice to judges:

“When you have a case between neighbors before you, listen well to all the evidence, stripping yourself of all prejudice, if any you have, and throwing away if you can all technical law knowledge, hear the lawyers make their arguments as patiently as you can, and after the evidence and the lawyers’ arguments are through, then stop one moment and ask yourself: What is the justice in this case? And let that sense of justice be your decision. Law is nothing else but the best reason of wise men applied for ages to the transactions and business of mankind.”

And I think to this day it is that idealism – matched to skill and judgment – that needs to be brought to bear on our most difficult challenges today—problems more difficult, perhaps, than a dispute between neighbors.

We all have our share of those problems, as you'll agree, in this country and around the world.

To be sure, we have always had daunting challenges in America. But many problems do seem somehow more massive, more magnified, more menacing.

Some of those problems I know about firsthand, as U.S. Attorney.

There was a time – before Faisal Shahzad in Times Square and the Tsarnaev brothers in Boston – when we did not have to worry, in this country at least, that terrorists might be home-grown rather than foreign-based.

There was a time – before Bernard Madoff – when we measured fraud by the million, rather than by the billion.

There was a time – before the financial meltdown – when we did not have to fret that the failure of a single company might send the entire economy into a tailspin.

And there was a time—before the cyber hacks of late —when industry and government did not have to fear their systems being cracked and crippled 24/7.

Those days are no more. And there are other problems still.

We have corrosive corruption in our state capital;

We have poison by prescription throughout the country;

We have violent gangs;

Corporations lacking in courage and conscience;

And maniacs who massacre young children as they sit in school.

We have hatred and injustice, discrimination and intolerance;

We have too much carbon dioxide in our atmosphere, too much deterioration in our infrastructure, too much red tape in our government, and too much gridlock in our Congress.

Now I have spent some time painting maybe a rather bleak picture of the state of affairs that you graduates are inheriting from the older generation.

But what can I say? Your parents have screwed up a lot of stuff. My point is only to describe why we need so badly to revive the tradition of lawyers as solvers of problems and as voices for progress.

It is often suggested by cynics that one person cannot make much of a difference. But just consider how much power even one lawyer can exert, if one chooses to make a difference and not just a living:

- o One lawyer, armed with courage and a well-drafted complaint, can reverse a longstanding government abuse or bring a misbehaving industry to its knees.

- o One lawyer, armed with a searching mind and an obsession for truth, can exonerate an innocent man, falsely charged.
- o One lawyer, armed with an idea and a vision of justice, can plant the seeds for a long-lasting movement for reform.
- o And one lawyer – motivated by conscience, guided by principle, and empowered by training – can set an example for a generation of future lawyers.

The potential power of a law degree is, I believe, unmatched in American society.

The power of your degree gives you a degree of power that few possess, fewer know how to use, and fewer still know how to put to good purpose.

People spend their entire lives waiting for the opportunity to do something meaningful, to make a difference in the world. For so many people, too many people, that moment never comes.

Lawyers, simply by virtue of their degree, have that opportunity every single day.

But, and here's a newsflash, there has still long been dubiousness about lawyers and what they are capable of contributing.

Let me end with a quick story.

Almost a century and a half ago, after a young man recovered from his third wound suffered in the Civil War, he decided finally to pursue a path in the law. As the story goes, the young man was nervous about it and nervous about telling his father, who was an accomplished medical doctor, about his decision. And so, he built up the confidence to talk to his dad, who was working in his study, to advise him of his decision. He announced to his father, “I am going to law school.”

The father, as the story goes, looked up from his desk, surveyed his son, and said, “What’s the use of that? A lawyer can’t be a great man.”

It turns out that young man was Oliver Wendell Holmes.

And so as Justice Holmes himself would often recount, he spent much of his life trying to prove his own father wrong, that a lawyer could indeed be a great person.

I hope that all of you will do your part also to defy the skeptics who malign the profession.

And I hope you always remember something else too: It is something well-expressed by Ralph Waldo Emerson, although often mistakenly attributed to Justice Holmes.

And it’s this: “What lies behind us and what lies before us are tiny matters compared to what lies within us.”

And so I hope that what lies within all of you – as great lawyers and good citizens – is an inclination towards courage, a bias

towards justice, an aversion to apathy, and an appetite for challenge.

It will take all of those qualities – and more – to forge the better world that we all want and, perhaps as a side benefit, raise up the reputation of our still-noble profession.

Make the most of it.

I congratulate you on your achievement, the world waits for your arrival, and the country craves your contribution.

Thank you and good luck.